

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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4	UNITED STATES OF AMERICA,)	
5)	NO. CR-08-6057-LRS
6	Plaintiff,)	
7	v.)	ORDER MODIFYING CONDITIONS
8)	OF PRE TRIAL SUPERVISION
9	BENJAMIN DAVIS GROTE,)	
)	
	Defendant.)	
)	

This matter came on for hearing on June 8, 2009. The United States was represented by Robert A. Ellis. The Defendant was represented by Kraig Gardner.

Defendant asks that the conditions of his pre-trial release be modified to remove electronic monitoring for the reason that the State of Washington will not provide general assistance benefits, including health benefits, to an individual who is electronically confined while awaiting trial. Defendant suffers from one or more health conditions that require ongoing health care benefits and has no other resources from which to pay for same.

On January 12, 2009, the Court entered an order that required electronic home monitoring for the Defendant to assure the safety of the community as part of the release plan. Ct. Rec. 76. Defendant has been generally compliant with the terms of his pre trial release since that date.

In the interest of allowing the Defendant to obtain the health care needed, the Court finds that electronic home monitoring may be removed and Defendant placed on home detention

1 except as necessary for purposes of medical appointments,
2 probation meetings, court hearings, or other meetings pre-approved
3 by his pre-trial services officer. Defendant shall also continue
4 to be monitored under the VICAP home breathalyzer currently in
5 place.

6 All other terms and conditions of the Court's Order Setting
7 Conditions of Release entered January 12, 2009, shall remain in
8 place without modification.

9 DATED this 15th day of June, 2009.

10 s/James P. Hutton
11 JAMES P. HUTTON
United States Magistrate Judge
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